

## GUIDELINES FOR SPANISH INTERPRETERS IN FAIRFAX COUNTY CIRCUIT COURT (EFFECTIVE 11/1/2002)

*The Fairfax County Circuit Court establishes these guidelines. The Management Analyst for Interpreter Services, Wendy Hahn, currently monitors the interpreter program. Any questions regarding these guidelines should be directed, in writing, to Ms. Hahn or to the Clerk of Court, John T. Frey.*

*Court interpreters desiring to provide services to the Civil and Criminal Divisions of the Fairfax County Circuit Court must abide by these guidelines and sign the attached acknowledgement.*

### I. SCHEDULING:

- A. The Docket Clerk will contact interpreters to schedule them for court appearances. Once an interpreter agrees to accept an assignment, he/she must appear on the scheduled date. Interpreters are **not** to accept an attorney's request to interpret in court proceedings unless that attorney has made independent arrangements to pay the interpreter. The Court will only pay for court appearances scheduled by the Docket Clerk.
- B. Interpreters are to contact the Docket Clerk at least one day prior to the scheduled court date to confirm his/her assignment and to ensure that the case is still pending. **Failure to confirm the assignment may result in non-payment.**
- C. Assignment to a case occurs only when the interpreter has been assigned to cover the actual trial or pre-trial motions in the case. **Interpreters providing jail or office visits are not automatically assigned to that particular case.**
- D. Once the Docket Clerk has assigned an interpreter to a particular case, it is that interpreter's responsibility to be available to interpret for all subsequent court dates such as continuations or sentencing dates. Should an interpreter not be available on the subsequent dates, the interpreter should immediately notify the Docket Clerk of his/her unavailability to appear.
- E. Upon completion of a hearing or motion, the assigned interpreter should fill out an Interpreter Assignment Form and return it to the Docket Clerk. This form advises the Docket Clerk of the new trial date and whether the assigned interpreter is available to cover that date.

## II. Availability:

- A. Interpreters providing services at the Fairfax County Circuit Court must sign in when they arrive or return from lunch and sign out when they leave or go to lunch. A "Sign-In/Sign-Out" sheet will be available in the Criminal Division each day. Payments will be based on the times recorded in the sign-in/sign-out log.
- B. Interpreters are to be available to interpret during the entire period for which they are billing the court, even after the completion of their original case(s) if they are still within the minimum two-hour billing period. This includes requests for services in court, counter assistance, jail visits, attorney/client interviews, or requests for assistance by any office in the Circuit Court. The "DC-44" and "DC-40" forms must be provided to the Criminal Division or turned in to the Court Clerk at the conclusion of the scheduled day.
- C. Before an interpreter leaves the court, he/she must check in with the Criminal Division to see if there are any further matters to be covered by that interpreter.

## III. Payment Policy:

- A. In-Court Services: The Court allows a two-hour minimum billing per day for **in-court services** at the rate of \$70 per hour. The Court has established a maximum rate of \$330 per day per interpreter. A full day is eight working hours (not including lunchtime). The Court shall pay interpreters at the rate of \$70 for each hour interpreted beyond the full day of eight hours. So, if an interpreter works for nine hours, he or she shall receive the \$330 for the eight hours and \$70 for the extra hour for a total of \$400. This pay rate applies to both civil and criminal cases. All payments for in-court services will be based upon the "Sign-In/Sign-Out" sheet found at the criminal division.
- B. Attorney/Defendant Interviews: The Court allows a two-hour minimum billing per day for services provided in **attorney/defendant interviews** at the rate of \$45 per hour, with a maximum of \$330 for a full day. All payments for attorney/defendant interviews will be based upon the daily "Sign-In/Sign-Out" log provided by the jail.
- C. Interpreters may charge only for the services provided during the scheduled period. The Court will not reimburse interpreters for travel time or other expenses.

- D. If an interpreter is requested to provide services to the General District Court or the Juvenile & Domestic Relations District Court on the same day as that interpreter is scheduled to be in Circuit Court, he or she **may not charge for such services** while under the employment of the Circuit Court.
- E. When an interpreter is scheduled for court and conducts attorney or other client interviews it is considered to be a part of the normally scheduled duties and is not to be billed separately.
- F. The Court will try to provide at least 24-hour notice, when possible, to the interpreters when the case has been continued or removed from the docket. If the notice of cancellation is provided less than 24 hours before the scheduled date, the interpreter shall be paid for the assignment. However, such payment will only be made for those days for which the interpreter does not receive the 24-hour notice. For example, if the Court has reserved the interpreter's services for three days and the case gets continued on the first day, the interpreter will be paid for only the first and second day. The third date is not reimbursed because the interpreter had more than 24 hours notice of the continuance.

#### IV. **Billing Procedures:**

- A. Interpreters will use the required forms, "DC-44" and "DC-40." Blank forms are available at the Criminal Division.
- B. It is the responsibility of the interpreter to turn in the two forms to the Court Clerk in the courtroom at the conclusion of the case, or to the Criminal Division window.
- C. Billings may be rounded up to the **closest half-hour**.
- D. Please do not combine jail visits with in-court time on the same form even if both involve the same defendant. Jail visits should be documented on separate billing forms. The forms for all jail interviews or attorney/client interviews must include the signature of the attorney or probation officer.
- E. All entries on the billing forms must be recorded **legibly and accurately**. Please print the defendant's last name, first name, and middle initial. Ensure that the case number is accurate by checking the posted docket.

- F. Interpreters must sign the two billing forms to indicate that they provided the service to the court on the specific case(s).

**V. Cancellation Policy:**

- A. If an interpreter must cancel an assignment, he/she must give sufficient notice of at least 48 hours to the Docket Clerk. The Docket Clerk will then locate a replacement.
- B. In case of an emergency, when there is not sufficient time to notify the Docket Clerk, an interpreter may call a substitute who is on the approved list provided by the Court. This list is maintained by Wendy Hahn and is available through her or through the Criminal and Civil Docket Clerks. **It is the responsibility of the assigned interpreter to contact the Docket Clerk with the name of the substitute interpreter who will be providing the interpretation services.**
- C. Cancellations by the interpreters will be noted and addressed. The Court reserves the right to terminate the services of any interpreter found to be unreliable.

## **ACKNOWLEDGEMENT**

I agree to abide by all guidelines listed in the “Guidelines for Spanish Interpreters in Fairfax County Circuit Court” and understand that failure to do so will result in termination of my services to the Fairfax County Circuit Court.

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Print full name

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Signature

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Date

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Witness

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Signature

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Date